

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA,)	Civil Action No.6:07-928
)	
Plaintiff,)	
)	
vs.)	
)	
\$112,020.00 IN UNITED STATES)	
CURRENCY,)	
)	
Defendant.)	

ORDER FOR ENTRY OF DEFAULT AND FOR DEFAULT JUDGMENT

This *in rem* forfeiture action was initiated through a Complaint filed on April 5, 2007. It concerns the \$112,020.00 in United States Currency, which was seized on August 28, 2006, by an officer of the South Carolina Highway Patrol. The seizure was subsequently adopted by the United States Drug Enforcement Administration. The Complaint alleges that the \$112,020.00 in United States Currency constitutes proceeds furnished or intended to be furnished in exchange for controlled substances or is traceable to such an exchange, and was used or intended to be used in some manner to commit or facilitate a violation of 21 U.S.C. § 801, et. seq. and that the said property is, therefore, subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

It appearing that the only known potential claimants, Henry Bennett, Anthony Smith, and Regina Dean, have moved for voluntary dismissal of their claims of ownership and Answer to the Complaint, that no other person has filed or served a verified claim or answer, that publication has been lawfully made in this matter, and that lawful notice was

given accordingly, the Court finds and concludes as follows:

1. That process was lawfully executed in this action and returned according to law;
2. That the \$112,020.00 in United States Currency was lawfully arrested by the United States Marshals Service pursuant to the Warrant of Arrest and Notice *in Rem* issued by this Court;
3. That public notice of this action and of the arrest of the \$112,020.00 in United States Currency was lawfully made in a newspaper having general circulation in this District;
4. That Henry Bennett, Anthony Smith, and Regina Dean, the only known potential claimants, have received notice of execution of process in this action;
5. That Henry Bennett, Anthony Smith, and Regina Dean, have motioned the Court for dismissal of their claims of ownership and Answer to the Complaint;
6. That no other person has filed herein any verified claim or answer within the time fixed by law; and
7. That the allegations of the Complaint for Forfeiture *in Rem* are taken as admitted.

NOW THEREFORE, based upon the above findings, and the Court being otherwise fully advised, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. All persons claiming any right, title or interest in or to the \$112,020.00 in United States currency, including Henry Bennett, Anthony Smith, and Regina Dean, are hereby held in default.
2. The Clerk of Court shall enter default against Henry Bennett, Anthony Smith, and Regina Dean, and all interested persons.
3. Default judgment shall be entered by the Clerk of Court against the Defendant and in favor of the United States.
4. Pursuant to 21 U.S.C. § 881(a)(6), the \$112,020.00 in United States Currency is hereby forfeited, condemned, quit-claimed and abandoned to the United States of America.
5. Clear title in and to the \$112,020.00 in United States Currency is vested in the United States of America, and no other right, title or interest exists therein. All other claims in the \$112,020.00 in United States currency are hereby forever foreclosed and barred.
6. The \$112,020.00 in United States Currency forfeited herein shall be disposed of by the United States in accordance with law.

IT IS SO ORDERED.

s/Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

Spartanburg, South Carolina

October 22, 2007